

In re Patent Application of:
FRISCO ET AL.
Serial No. **09/545,267**
Filed: **APRIL 7, 2000**

REMARKS

The Applicants would like to thank the Examiner for the thorough examination of the present application. The arguments supporting patentability of the invention are discussed in detail below.

I. Independent Claims 32 And 41 Are Patentable

The Examiner rejected independent Claims 32 and 41 over the Sklar et al. patent in view of the Galipeau et al. patent and in further view of the Wakai et al. patent. The present invention, as recited in independent Claim 32, is directed to an aircraft in-flight entertainment system comprising a satellite television (TV) receiver for generating a plurality of programming channels, and a moving map image generator for generating a flight information channel including a moving representation of the aircraft position on a map image. The moving map image generator comprises a processor for determining an aircraft position during flight, aircraft direction, aircraft speed, and aircraft altitude for display with the moving map image.

The aircraft in-flight entertainment system also comprises a plurality of passenger seatback displays connected to the satellite TV receiver and the moving map image generator. A respective passenger control unit is associated with each passenger seatback display for permitting passenger selection of one of the programming channels and flight information channel for display thereon.

The present invention advantageously allows a passenger to select a programming channel from the satellite TV receiver or the flight information channel, wherein the flight information channel provides aircraft position during

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flight, aircraft direction, aircraft speed, and aircraft altitude for display with the moving map image.

Independent method Claim 41 is similar to independent device Claim 32 by reciting that a flight information channel including a moving representation of the aircraft position on a map image is generated for passenger selection, and the generating comprises determining an aircraft position during flight, aircraft direction, aircraft speed and aircraft altitude for display with the moving map image.

In FIGS. 1 and 2 of Sklar et al., an in-flight entertainment (IFE) system comprises a satellite TV receiver **40, 42** and a plurality of passenger seatback displays **56** connected to the satellite TV receiver. A respective passenger control unit is associated with each passenger seatback display for permitting passenger selection of a programming channel (column 9, lines 26-52). As correctly noted by the Examiner, Sklar et al. fails to disclose a moving map image generator for generating a flight information channel including a moving representation of the aircraft position on a map image.

The Examiner cited Galipeau et al. as disclosing in column 11, lines 25-30, that the aircraft systems **198** (FIG. 9a) provide data to the passenger concerning the aircraft flight. Such data may include aircraft direction, aircraft speed and aircraft altitude for display on a moving map image. The Examiner has taken the position that this information may be provided as an additional video input which may be offered to the passengers.

The Applicants submit that Galipeau et al. fails to clearly state that the passengers may actually select the

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flight information provided via the additional video input. For example, Galipeau et al. discloses in column 11, lines 35-38 that an in-flight work station **200** is available for the flight crew to select which programming is available to passengers. In other words, if the additional video input is unavailable, then the passengers cannot select it. Alternatively, even if the additional video input was available, Galipeau et al. fails to state that the passengers have control for selecting the input versus the pilot or flight crew selecting when the flight information is to be displayed - such as when a flight update is made by the pilot or flight crew.

Consequently, the Examiner further cited the Wakai et al. patent as disclosing in column 2, lines 7-19 a video on demand system that includes a moving map display feature which "allows the passenger to view the current flight and the airplane's current position along that route."

The Examiner has taken the position that it would have been obvious at the time of the invention to have combined the satellite TV receiver as disclosed in Sklar et al. with the moving map image generator as disclosed in Galipeau et al., as well as with the moving map image generator disclosed in Wakai et al. which is controlled on demand by each passenger. The Examiner states that this would be beneficial to the IFE system in Sklar et al. since it would enhance the satellite TV receiver IFE system to further include a moving map image generator flight information channel that may be selected by a passenger along with a programming channel provided by the satellite TV receiver.

The Applicants respectfully submit that the

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Examiner is using impermissible hindsight reconstruction to modify Sklar et al. in view of Galipeau et al. and in further view of Wakai et al. to produce the claimed invention.

Applicants assert that there is no proper motivation to selectively modify the prior art references in the manner set forth by the Examiner absent the Applicants' disclosure.

As the Examiner is aware, to establish a prima facie case of obviousness, there must be some suggestion or motivation, either in the reference itself or in the knowledge generally available to one of ordinary skill in the art, to modify the references. The IFE system in Sklar et al. is directed to controlling the reception by an aircraft of broadcast entertainment transmissions from a satellite. Sklar et al. fails to mention providing any other type of programming channels to the passengers, i.e., such as a flight information channel.

The IFE system in Galipeau et al. discloses a flight information channel available to the passengers, but fails to clearly state that the passengers select the flight information channel. In addition, the IFE system in Galipeau et al. fails to disclose that the IFE system comprises a satellite TV receiver.

The IFE system in Wakai et al. discloses a flight information channel that may be selected by each passenger for viewing the flight route and the aircraft's current position along the route, but Wakai et al. fails to disclose a processor for determining aircraft speed and aircraft altitude in addition to the aircraft's position displayed along the flight route. As with the Galipeau et al. patent, Wakai et al. fails to disclose that the IFE system comprises a satellite TV receiver.

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More specifically, one of ordinary skill in the art would not look to modify the Sklar et al. patent to include a moving map image generator for generating a flight information channel including a moving representation of the aircraft position on the map image, or that the moving map generator comprises a processor for determining an aircraft position during flight, and at least one of an aircraft direction, aircraft speed, and aircraft altitude for display with the moving map image, without having had the benefit of studying the Applicants' specification.

Accordingly, Applicants submit that independent Claims 32 and 41 are patentable over the Sklar et al. patent in view of the Galipeau et al. patent and in further view of the Wakai et al. patent. Their respective dependent claims, which recite yet further distinguishing features, are also patentable, and require no further discussion herein.

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CONCLUSION

In view of the arguments provided herein, it is submitted that all the claims are patentable. Accordingly, a Notice of Allowance is requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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